Incident Summary

The summary of this incident is based upon reports, teletypes, and interviews contained in this packet. It also contains information verbally relayed to the Internal Affairs Bureau investigators by Homicide Bureau investigators and information contained in the homicide investigation.

On November 29,1994 at approximately 2145 hours, Deputy Michael Caouette #[redacted]was involved in a Deputy Involved Shooting. The shooting occurred during the course of a foot pursuit wherein the suspect turned and fired three rounds at Deputy Caouette with a small calibre handgun. The suspect was not hit and eluded capture. However, he was subsequently arrested on November 30, 1994. Deputy Caouette sustained a slight welt to the left thigh when a round fired by the suspect ricocheted off his flashlight and struck his leg. Lieutenant Dennis Burns and Sergeants Mark Walker and Barry McCrummen, of the Internal Affairs Bureau, were notified and responded. Deputy Caouette did not realize that he had been injured until approximately 6 hours later. At approximately 0330 hours, Homicide Investigators, Bonilla and Perales were notified and responded to handle the investigation.

On November 29, 1994, Deputies Paul Fornier, #[redacted] and Michael Caouette, #[redacted]were assigned to Century Station/OSS, unit 210GP. At approximately 2145 hours, the deputies were working an unmarked detective unit with spot lights, in the East Compton area. Both deputies were dressed in Departmental Sheriff's Raid jackets, gun belts and jeans.

Deputy Fornier was driving the unit and Deputy Caouette was the passenger. As they were travelling south on Harris Avenue approaching Myrrh Street they noticed the suspect seated in a small blue car parked on the east side of Harris facing north. Their attention was drawn to the suspect as the suspect kept ducking down from view then returning to an upright position. When the unmarked unit pulled abreast of the suspect's vehicle, both deputies illuminated the suspect with the spotlights. The suspect looked directly at the deputies and immediately exited the vehicle and ran to the west side of Harris Avenue then continued south along the sidewalk. The suspect then turned down the driveway at [redacted]Harris Avenue and continued westbound to the rear of the property.

Deputy Caouette exited their unit and gave chase, following the suspect down the driveway of [redacted] Harris. Deputy Fornier continued to drive the unit along side the suspect until the suspect turned down the driveway. Deputy Fornier stopped the unit and exited to join the chase. As Deputy Fornier exited the unit and started down the driveway, he could see his partner but could not see the suspect. He then heard three gunshots from a small calibre handgun. He then saw Deputy Caouette raise his weapon and fire one round in the direction of the suspect. Deputy Fornier said he continued to follow his partner down the driveway and to the rear of the property. He said as he reached the end of the driveway, he heard two additional small calibre gunshots followed by Deputy Caouette firing another round. He then caught a glimpse of the suspect scaling a block wall on the south side of the property. He and Deputy Caouette looked over the wall and chose not to follow because it was pitch dark with no sign of the suspect. Deputy Fornier said they then advised over the radio regarding the Deputy Involved Shooting, and began to direct units into the area for a containment. Deputy Fornier stated that the situation developed so quickly that there was not much time to advise SCC that he

or his partner was in foot pursuit. He said it was not until the suspect scaled the wall that they requested assistance and advised of the "shots fired." Deputy Fornier added that at no time was Deputy Caouette out of his view.

Deputy Caouette stated substantially the same as Deputy Fornier but added the following information. Deputy Caouette said as he chased the suspect down the driveway of [redacted] Harris Avenue, he was approximately twenty to thirty feet behind the suspect. He added that the suspect turned and pointed a handgun at him, and fired two to three rounds at him. He said he did not see any muzzle flash but did hear the reports. Deputy Caouette said he drew his weapon and fired one round at the suspect. He said he yelled at the suspect, "drop the weapon, police, drop the weapon, stop."

The suspect continued to run in a southwest direction, toward the rear of the property. Deputy Caouette continued to chase the suspect, closing the distance to ten to fifteen feet. The suspect then jumped onto a block wall along the south side of the property, swung his right arm back toward Deputy Caouette and fired two more rounds. Deputy Caouette fired once more at the suspect striking the block wall. The suspect cleared the wall and continued running into the darkness. Deputy Caouette indicated he lost sight of the suspect and decided not to continue the chase.

Deputy Caouette along with Deputy Fornier returned to their unit on Harris Avenue and requested assistance. A containment of the area was set up, however, all efforts to locate the suspect failed. Deputy Caouette said it was at this point he felt a slight pain to his left thigh but disregarded it as a result of the foot pursuit. It was not until 0300 hours, while at Century Station, that Deputy Caouette experienced a sharp sensation in his left thigh. He examined his thigh and observed small tissue damage and felt he had been hit with a small calibre round. Deputy Caouette also noticed a small indentation on his flashlight. He said that the indentation was new and surmised that a round fired by the suspect had struck his flashlight and ricocheted into his thigh. Deputy Caouette was transported to St. Francis Hospital at 0824 hours. He was examined and released by Doctor Seybold for soft tissue laceration to the left thigh.

The area was checked for witnesses and no one observed any part of the incident. Ms. [redacted] FB/35 [redacted] indicated that she heard approximately 4-5 gun shots. She said she also heard a male voice yelling, "Hold it, Drop it," or something similar. She said she was trying to get her four children to the floor and did not see anything. Ms. [redacted] FB/47, [redacted] said she heard what she believed to be a car skidding, then within seconds heard footsteps and a gunshot. She then heard several more gunshots and a male voice yelling something. She said she did not see anything. Ms. [redacted] FB/27, [redacted] said she heard several gunshots but did not see anything.

On November 30, 1994, Century Station OSS arrested a suspect on an unrelated drug charge. Information developed by Century OSS, indicated that the suspect was the individual involved in the shooting with Deputy Caouette. Both Deputies, positively identified the suspect and further information and evidence resulted in charges being filed against the suspect for the shooting. Homicide investigators interviewed the suspect, however, he denied any involvement in the shooting.

On scene investigation revealed what appeared to be a fresh bullet hole in the siding of a house located on the [redacted] corner of Myrrh Street and Harris Avenue, (See Diagram and photos). This

bullet hole was in a direct line of fire when the suspect fired the first rounds and Deputy Caouette. Deputy Caouette's first round struck the stucco wall of the [redacted] stairway. His second round struck the block wall, (See Photos).